



**ACKNOWLEDGEMENT OF NOTIFICATION  
OF HAZARDOUS WASTE ACTIVITY  
(VERIFICATION)**

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act/RCRA. Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER

+NYD001e33847

POLYCHROME CORPORATION - R&D  
137 ALEXANDER STREET  
YONKERS NY 10702

INSTALLATION ADDRESS

137 ALEXANDER STREET  
YONKERS NY 10702



**ACKNOWLEDGEMENT OF NOTIFICATION  
OF HAZARDOUS WASTE ACTIVITY  
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EPA I.D. NUMBER

**POLYCHROME CORPORATION  
137 ALEXANDER STREET  
TOWERS**

BY 10702

INSTALLATION ADDRESS

**137 ALEXANDER AVE  
TOWERS**

BY 10701



**ACKNOWLEDGEMENT OF NOTIFICATION  
OF HAZARDOUS WASTE ACTIVITY  
(VERIFICATION)**

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EPA I.D. NUMBER

NY00103347

POLYCHROME CORPORATION-R&D  
137 ALEXANDER STREET  
YONKERS

NY 10702

INSTALLATION ADDRESS

137 ALEXANDER STREET  
YONKERS

NY 10702

CEPA

### **Notification of Hazardous Waste Activity**

For Official Use Only

### Comments

Installation's EPA ID Number										Approved	Date Received (yr. mo. day)				
N Y D 0 0 1 8 3 3 8 4 7										T A C	8 0 0 8 1 8				
I. Name of Installation P O L Y C H R O M E C O R P O R A T I O N															
II. Installation Mailing Address Street or P.O. Box 1 3 7 A L E X A N D E R S T R E E T															
City or Town Y O N K E R S										State N Y	ZIP Code 1 0 7 0 2				
III. Location of Installation Street or Route Number S A M E															
City or Town										State	ZIP Code				
IV. Installation Contact Name and Title (last, first, and job title) LIEBERMAN MARV V H 9 1 4 3 7 8 4 5 0 3															
Phone Number (area code and number)															
V. Ownership A. Name of Installation's Legal Owner S U N C H E M I C A L C O R P															
B. Type of Ownership (enter code) P															
VI. Type of Regulated Waste Activity (Mark 'X' in the appropriate boxes. Refer to Instructions.) A. Hazardous Waste Activity <input checked="" type="checkbox"/> 1a Generator <input type="checkbox"/> 1b Less than 1,000 kg/mo <input type="checkbox"/> 2 Transporter <input type="checkbox"/> 3 Treat/Store/Dispose <input type="checkbox"/> 4 Underground Injection <input type="checkbox"/> 5 Market or Burn Hazardous Waste Fuel (enter 'X' and mark appropriate boxes below) <input type="checkbox"/> a. Generator Marketing to Burner <input type="checkbox"/> b. Other Marketer <input type="checkbox"/> c. Burner													B. Used Oil Fuel Activities <input type="checkbox"/> 6 Off-Specification Used Oil Fuel <input type="checkbox"/> a. Generator Marketing to Burner <input type="checkbox"/> b. Other Marketer <input type="checkbox"/> c. Burner <input type="checkbox"/> 7 Specification Used Oil Fuel Marketer (or On site Burner) Who First Claims the Oil Meets the Specification		
VII. Waste Fuel Burning: Type of Combustion Device (enter 'X' in all appropriate boxes to indicate type of combustion device(s) in which hazardous waste fuel or off-specification used oil fuel is burned. See Instructions for definitions of combustion devices.) <input type="checkbox"/> A. Utility Boiler <input type="checkbox"/> B. Industrial Boiler <input type="checkbox"/> C. Industrial Furnace															
VIII. Mode of Transportation (transporters only - enter 'X' in the appropriate box(es)) <input type="checkbox"/> A. Air <input type="checkbox"/> B. Rail <input type="checkbox"/> C. Highway <input type="checkbox"/> D. Water <input type="checkbox"/> E. Other (specify)															
IX. First or Subsequent Notification Mark 'X' in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification. If this is not your first notification, enter your installation's EPA ID Number in the space provided below.															
<input type="checkbox"/> A. First Notification <input checked="" type="checkbox"/> B. Subsequent Notification (complete item C)										C. Installation's EPA ID Number N Y D 0 0 1 8 3 3 8 4 7					

Mark 'X' in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification. If this is not your first notification, enter your Installation's EPA ID Number in the space provided below.

- A. First Notification       B. Subsequent Notifications  
(complete item C)

C Installation & EPA ID Number

**N Y D D 1 8 3 3 8 4 7**

ID - For Official Use Only											
B											T/A C
W											1
number from 40 CFR Part 261.31 for each listed hazardous waste sheet if necessary.											
4				5				6			
10				11				12			

**X. Description of Hazardous Waste (continued from front)**

**A. Hazardous Waste from Nonspecific Sources.** Enter the four-digit number from 40 CFR Part 261.31 for each listed hazardous waste from nonspecific sources your installation handles. Use additional sheets if necessary.

1	2	3	4	5	6
F 0 0 1	F 0 0 3	F 0 0 5			
7	8	9	10	11	12

20. Hazardous wastes from Specific Sources. Enter the four-digit number from 40 CFR Part 261, Subpart C for each type of hazardous wastes listed below, starting with your first four characters. Use additional sheets if necessary.

<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>
<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>
<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>

**C. Commercial Chemical Product Hazardous Wastes.** Enter the four-digit number 40 CFR Part 261.33 for each chemical substance your installation handles which may be hazardous waste. Use additional sheets if necessary.

31	32	33	34	35	36
U 1 6 9	U 1 8 8	U 2 0 1			
37	38	39	40	41	42
43	44	45	46	47	48

D. Listed Infectious Wastes. Enter the four-digit number 40 CFR Part 261.34 for each hazardous waste from hospitals, veterinary hospitals, or medical and research laboratories your installation handles. Use additional sheets if necessary.

49	50	51	52	53	54

**E. Characteristics of Nonlisted Hazardous wastes.** Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles. (See 40 CFR Parts 261.21 - 261.24)

1. Ignitable (D001)     2. Corrosive (D002)     3. Reactive (D003)     4. Toxic (D000)

XI. Certification

**I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.**

Signature	Name and Official Title (Type or print)	Date Signed
	Marvin F. L. Lehman Vice President of Operations	3/22/90

**Estimated burden:** Public reporting burden for this collection of information is estimated to be 3 hours, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.



**U.S. ENVIRONMENTAL PROTECTION AGENCY**  
**NOTIFICATION OF HAZARDOUS WASTE ACTIVITY**

NOTIFICATION OF HAZARDOUS WASTE ACTIVITY			
I. INSTALLATION'S EPA I.D. NO.	PLEASE PLACE LABEL IN THIS SPACE		
II. NAME OF INSTALLATION			
III. MAILING ADDRESS			
IV. LOCATION OF INSTALLATION			
<b>FOR OFFICIAL USE ONLY</b>			
COMMENTS			
A C H I N U Y			
INSTALLATION'S EPA I.D. NUMBER		APPROVED	DATE RECEIVED (yr., mo., & day)
F NYD001833847		1	19 10 19 87
I. NAME OF INSTALLATION		POLYCHROME CORPORATION	
II. INSTALLATION MAILING ADDRESS		STREET OR P.O. BOX	
3 137 ALEXANDER STREET		42	
CITY OR TOWN		ST.	ZIP CODE
4 YONKERS		NY 10702	
III. LOCATION OF INSTALLATION		STREET OR ROUTE NUMBER	
5 SAME		43	
CITY OR TOWN		ST.	ZIP CODE
6		40 41 42 43 - 31	
IV. INSTALLATION CONTACT		NAME AND TITLE (last, first, & job title)	
2 WILDER DONALD		PHONE NO. (area code & no.)	
914 965 8800		45 46 - 47 48 - 49 50 - 51 52 - 53	
V. OWNERSHIP		A. NAME OF INSTALLATION'S LEGAL OWNER	
8 POLYCHROME CORPORATION		44	
B. TYPE OF OWNERSHIP (enter the appropriate letter into box)		VI. TYPE OF HAZARDOUS WASTE ACTIVITY (enter "X" in the appropriate box(es))	
F = FEDERAL M = NON-FEDERAL	M	<input checked="" type="checkbox"/> A. GENERATION 57	<input type="checkbox"/> B. TRANSPORTATION (complete item VII) 58
		<input type="checkbox"/> C. TREAT/STORE/DISPOSE 59	<input type="checkbox"/> D. UNDERGROUND INJECTION 60
VII. MODE OF TRANSPORTATION (transporters only - enter "X" in the appropriate box(es))		<input type="checkbox"/> A. AIR 61 <input type="checkbox"/> B. RAIL 62 <input type="checkbox"/> C. HIGHWAY 63 <input type="checkbox"/> D. WATER 64 <input type="checkbox"/> E. OTHER (specify): 65	
VIII. FIRST OR SUBSEQUENT NOTIFICATION		Mark "X" in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification. If this is not your first notification, enter your installation's EPA I.D. Number in the space provided below.	
<input type="checkbox"/> A. FIRST NOTIFICATION		<input checked="" type="checkbox"/> B. SUBSEQUENT NOTIFICATION (complete item C) 66	
IX. DESCRIPTION OF HAZARDOUS WASTES		C. INSTALLATION'S EPA I.D. NO. 67	
NYD001833847			
Please go to the reverse of this form and provide the requested information.			
CONTINUATION ON REVERSE			

Please go to the reverse of this form and provide the requested information.

**CONTINUE ON REVERSE**



**U.S. ENVIRONMENTAL PROTECTION AGENCY**  
**NOTIFICATION OF HAZARDOUS WASTE ACTIVITY**

**A. ATTACHMENT**

I. INSTALLATION'S EPA I.D. NO.	SYET-1843847		
II. NAME OF INSTALLATION	POLYCHROME CORPORATION 137 ALEXANDER AVE YONKERS, N.Y. 10701		
III. LOCATION OF INSTALLATION			

**B. FOR OFFICIAL USE ONLY**

COMMENTS			
E			
C			
13-16			

**C. INSTALLATION'S EPA I.D. NUMBER**

ENYID-1843847	APPROVED	DATE RECEIVED (yr., mo., & day)
13-16	17	18-21

**D. NAME OF INSTALLATION**

POLYCHROME CORPORATION

**E. INSTALLATION MAILING ADDRESS**

STREET OR P.O. BOX			
3137 ALEXANDER STREET	40	41	42
13-14	43	44	45

CITY OR TOWN		ST.	ZIP CODE
YONKERS	46	47	NY 10702
15-19	48	49	50

**F. LOCATION OF INSTALLATION**

STREET OR ROUTE NUMBER			
SAME	40	41	42
5	43	44	45

CITY OR TOWN		ST.	ZIP CODE
6	46	47	51
19-22	48	49	52

**G. INSTALLATION CONTACT**

NAME AND TITLE (last, first, & job title)		PHONE NO. (area code & no.)
RODER WERNER PROD ENG MGR	2	914 965 3800
18-19	20	21-22

**H. OWNERSHIP**

A. NAME OF INSTALLATION'S LEGAL OWNER		
POLYCHROME CORP	8	18-19

**I. TYPE OF OWNERSHIP** (enter the appropriate letter into box)

F - FEDERAL M - NON-FEDERAL	M	<input checked="" type="checkbox"/> A. GENERATION <input type="checkbox"/> B. TRANSPORTATION (complete item VII) <input type="checkbox"/> C. TREAT/STORE/DISPOSE <input type="checkbox"/> D. UNDERGROUND INJECTION
--------------------------------	---	---

**J. MODE OF TRANSPORTATION** (transporters only - enter "X" in the appropriate box(es))

<input type="checkbox"/> A. AIR	<input type="checkbox"/> B. RAIL	<input type="checkbox"/> C. HIGHWAY	<input type="checkbox"/> D. WATER	<input type="checkbox"/> E. OTHER (specify):
---------------------------------	----------------------------------	-------------------------------------	-----------------------------------	--

**K. FIRST OR SUBSEQUENT NOTIFICATION**

Mark "X" in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification. If this is not your first notification, enter your installation's EPA I.D. Number in the space provided below.

<input checked="" type="checkbox"/> A. FIRST NOTIFICATION	<input type="checkbox"/> B. SUBSEQUENT NOTIFICATION (complete item C)	G. INSTALLATION'S EPA I.D. NO.
---	---	--------------------------------

**L. DESCRIPTION OF HAZARDOUS WASTES**

Please go to the reverse of this form and provide the requested information.

5010-0750-07 (6-89)

CONTINUE ON REVERSE

## IX. DESCRIPTION OF HAZARDOUS WASTES

Please go to the reverse of this form and provide the requested information.

EPA Form 8700-12 (6-80)

**CONTINUE ON REVERSE**



# POLYCHROME

PHB

COPY DEC

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II  
26 FEDERAL PLAZA  
NEW YORK, NEW YORK 10278

AUGUST 24, 1992

I.R.N. 7 NY 001833847 9/10/9

Dear Sirs,

This letter is to notify the EPA office Region II, that POLYCHROME CORPORATION at 137 ALEXANDER STREET, YONKERS, NY 10702 would like to cancel the EPA Identification Number (NYD001833847), since the generation of hazardous waste have stopped from the above location.

If you have any concerns or questions, please contact us at the above address.

SINCERELY,

*Walter Holowczak* *Jack Azar*

Walter Holowczak  
Plant Manager

Jack Azar  
Manager of Environmental Affairs



December 13, 1983

Mr. Ernest A. Regna  
Chief, Solid Waste Branch  
Air and Waste Management Division  
U.S. EPA, Region II  
26 Federal Plaza  
N.Y., NY 10278

JAD

Re: EPA I.D.# NYD001833847  
Polychrome Corp.  
Yonkers, NY 10702

Dear Mr. Regna:

We received your letter concerning the RCRA inspection of June 10 on November 8, 1983.

In addition to having a full-time chemical engineer (Mr. Nick Relia) assigned to develop a plant-wide environmental compliance program, we have also retained the firm of Environmental Management Ltd., Ms. Diana Rivet and Mr. Donald Wanamaker principals, to support our program.

After review of our situation, we question if the deficiencies noted on the inspection form apply to our operation for the reasons noted below. Further, our original indications of hazardous waste activity as included on EPA form 8700-12 was filed in error as applicable rules governing hazardous wastes were improperly interpreted.

Concerning the deficiencies noted on the RCRA inspection form of June 10, 1983, we respectfully submit that these deficiencies should be reconsidered and withdrawn in light of the following:

1. All drums stored in the storage cage and in the chemical mix room contained our proprietary coating solution (a commercial chemical product) that for our purposes can not be used in our process.
2. This solution does not meet the definition of solid waste as defined by 40 CFR 261.2. (It is not discarded nor has it served its originally intended use).

3. Since it is not solid waste it is not hazardous waste and therefore not subject to RCRA.

In conjunction with our outside consultant and to avoid future problems concerning our compliance program, we are currently reviewing all our activities and documents based on our current understanding of the rules and regulations.

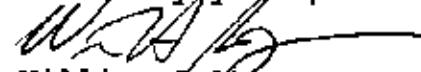
In addition, we have instituted many of the recommendations suggested by Mr. J. Doty during his inspection, in light of good management practices. These include:

- 1) marking aisles in the hazardous material area.
- 2) purchase of spill prevention material.
- 3) training of all personnel involved with hazardous materials management.

As indicated in your letter, we look forward to future visits. We welcome these visits for possible assistance in establishing proper classification of materials and handling methods. From time to time, our consultants or technical staff might call upon your department for guidance and assistance if we may so impoee. Polychrome has and will continue to exert substantial resources to upgrade our facility in order to assure our workers and community that we are continuing to operate in a safe and conscientious manner.

We hope the foregoing is satisfactory. If you have any questions, please do not hesitate to phone me at 914-965-8800 ext. #139.

Sincerely yours,



William Saltzman  
Corporate VP - Legal

El/ap  
lal20283

Att:



FRB

December 5, 1983

ENCL 3  
NEW YORK, NY 10019  
MURKIN, JAMES  
HHS, HHS  
W.H. HHS  
12/5/83

Mr. Andrew Bellina  
United States Environmental Protection Agency, Region II  
26 Federal Plaza  
New York, NY 10278

RE: EPA ID# NYD001833847 ✓ ?

Dear Mr. Bellina:

Confirming our conversation of December 5, Polychrome's response to alleged RCRA violations will be delayed up to one week, with issuance by December 16. We appreciate this extension.

Sincerely yours,

*Edward M. Lowell*

Edward M. Lowell  
Manager of Operations Engr.

EL/ap  
lbl20583

cc: Mr. E. A. Regna  
Chief, Solid Waste Branch  
Air & Waste Management Division  
US Environmental Protection Agency  
26 Federal Plaza  
New York, NY 10278

Mr. W. Saltzman - Corporate VP-Legal  
Mr. D. Wilder - VP Operations  
Mr. N. Rella - Project Engineer-Government Compliance

cc: Mr. Richard A. Baker  
Chief, Permits Adminstration Branch  
US Environmental Protection Agency, Region II  
26 Federal Plaza  
New York, NY 10278

Mr. Richard Gardineer  
Regional Solid Waste Engineer, Region III  
NYS-DEC  
21 South Putt Corners Road  
New Paltz, NY 12561

Polychrome

Mr. D. Wilder - VP - Operations  
Mr. E. Lowell - Mgr. - Operations Eng.  
Mr. N. Rella - Project Engr.-Government Compliance



February 23, 1983

EPA Region II  
Information Service Center  
26 Federal Plaza  
New York, New York 10007

Attention: Mr. H. Ruisi

Dear Mr. Ruisi,

Attached, please find EPA Notification of Hazardous Waste Activity Form. This subsequent notification is to update our first filing of August, 1980.

Yours truly,  
Polychrome Corp.  
*Nicholas L. Rella*  
Nicholas L. Rella  
Project Engineer

94  
HAROLD  
attachment  
NLR/jr  
3/17/83  
4/21/83  
JW



August 19, 1980

EPA Region II  
Information Service Center  
26 Federal Plaza  
New York, NY 10007

Dear Sir/Madam:

On the enclosed notification of hazardous waste activity form, I have classified Polychrome Corporation as a generator of hazardous waste. However, Polychrome does store waste which it generates for periods up to several months until it is transported by others for proper disposal. I have not classified Polychrome as a storing facility because it does not store the waste generated by others.

If you feel that Polychrome should also be classified as a storing facility, would you please advise me.

Very truly yours,

*Werner A. Roder*

Werner Roder  
Polychrome Corporation

WR:NR

JAB

EX-3  
NEW YORK, NY 10037  
REGISTRATION  
SECTION

CERTIFIED MAIL

WILSON, KURTIS & CO., INC.

Mr. LINDEN KAPLIT  
Managing Co. Chairman  
Polychase Corporation  
127 Alexander Avenue  
Waukesha, WI 53186

RE: EPA Formulation Incident - Waukesha, WI  
Facility location: Same  
Inspection Date: June 18, 1993  
SAB 50 1010313  
Dear Mr. Kaplan:

The Environmental Protection Agency (EPA) is aware with the responsibility to implement the Resource Conservation and Recovery Act (RCRA) and the general standards established under subtitle C of the Solid Waste Disposal Act (SWDA) (42 U.S.C. 6901-6907).

In addition to EPA's role as the lead federal regulator of hazardous wastes throughout the country, EPA has the state enforcement authority. In recognition of this authority, the inspection team at this facility, upon authorization by EPA, conducted an inspection of SWRA, and the office revealed that the following regulatory violations exist at the plant at the inspection:

A plant operator allows or generates an automatic wastewater system to overflow during periods of no more than 50 days (without the incorporation of certain regulations). At the time of the inspection, it was determined that 30 days were spent by the operator's site.

- \* 40 CFR 262.4(e)(2) which requires the operator who uses practice to avoid discharges must be directly linked up to those run inspection on each calendar. This will therefore in violation of 40 CFR 262.4(e)(2).
- \* 40 CFR 262.4(e)(3) which requires each operator for each permitted, hazardous waste to be working in tandem directly with the owner, "operator" and have themselves in violation of 40 CFR 262.4(e)(3).
- \* 40 CFR 262.4(e)(4) which requires a calendar to be used, with the requirement to do one A + sample in (two, three and four month(s)) and to do one C + sample in (contingency plan and emergency event cleanup) and with 40 CFR 262.4(e)(4). All three requirements in violation of 40 CFR 262.4(e)(4).

¶ 45 C.R.C. (2001), Sub. 1, does not allow waste producers or transporters of industrial waste facility must have written contingency plan for the facility designed to mitigate hazards to human health or the environment from any unplanned release of hazardous waste constituents. It also specifies minimum contents of the contingency plan. At the time of the inspection, the content of this plan was insufficient to meet the requirements of this regulation. You were therefore in violation of this regulation.

It is requested that, within thirty (30) days of your receipt of this notice, you issue a letter to this office certifying the corrective actions taken or to be taken to correct these violations. Also, you must be aware that these violations have resulted in your facility being designated as a high priority site for inspection during 1997.

Please provide responses to:

- Director, Mr. George  
Chief, Solid Waste Section  
Air and Waste Management Division  
U.S. Environmental Protection Agency, Region II  
401 M Street, SW  
Washington, DC 20460

and/or by fax to:

- Director, Mr. George  
Chief, Air Quality Optimization Branch  
Office of Pollution Prevention and Toxics  
Division of Solid Waste Management  
U.S. Environmental Protection Agency, Region II  
401 M Street, SW  
Washington, DC 20460

cc'd:

- Director, Mr. George  
Solid Waste Section, Region I  
200 West, Route 84, Springfield, MA 01102-1402  
41 South Street, Worcester, MA  
500-1000, MA 01654

You must include your self identifying number on all correspondence.

your failure to respond to this letter may cause this matter to be referred to your attorneys for further enforcement action.

Should you have questions about this action or would you wish to discuss this matter further, please contact Andrew Bellina at my office at (212) 264-2340. A copy of the inspection report is enclosed.

Friendly yours,

Richard A. Baker  
Chief  
Solid Waste Branch

cc: (list)

cc: Andrew Bellina, Office  
Manager of Hazardous Waste Operations, NYDOE, NYC office

\* Richard A. Baker  
NYDOE, NYC Office, 200 Broadway, Room 1100, New York, NY 10007

bcc: Andrew Bellina, 200M-3b w/encl.  
Richard A. Baker, 2PM-PA w/o encl. ✓



100-100-100  
100-100-100  
100-100-100  
100-100-100

December 13, 1983.

Mr. Ernest A. Regna  
Chief, Solid Waste Branch  
Air and Waste Management Division  
U.S. EPA, Region II  
26 Federal Plaza  
N.Y., NY 10278

Re: EPA I.D.# NYD001833847  
Polychrome Corp.  
Yonkers, NY 10702

Dear Mr. Regna:

*0304*  
We received your letter concerning the RCRA inspection of June 10 on November 8, 1983.

In addition to having a full-time chemical engineer (Mr. Nick Relia) assigned to develop a plant-wide environmental compliance program, we have also retained the firm of Environmental Management Ltd., Ms. Diana Rivet and Mr. Donald Wanamaker principals, to support our program.

After review of our situation, we question if the deficiencies noted on the inspection form apply to our operation for the reasons noted below. Further, our original indications of hazardous waste activity as included on EPA Form 8700-12 was filed in error as applicable rules governing hazardous wastes were improperly interpreted.

Concerning the deficiencies noted on the RCRA inspection form of June 10, 1983, we respectfully submit that these deficiencies should be reconsidered and withdrawn in light of the following:

1. All drums stored in the storage cage and in the chemical mix room contained our proprietary coating solution (a commercial chemical product) that for our purposes can not be used in our process.
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- 1) marking aisles in the hazardous material area.
- 2) purchase of spill prevention material.
- 3) training of all personnel involved with hazardous materials management.

As indicated in your letter, we look forward to future visits. We welcome these visits for possible assistance in establishing proper classification of materials and handling methods. From time to time, our consultants or technical staff might call upon your department for guidance and assistance if we may so impose. Polychrome has and will continue to exert substantial resources to upgrade our facility in order to assure our workers and community that we are continuing to operate in a safe and conscientious manner.

We hope the foregoing is satisfactory. If you have any questions, please do not hesitate to phone me at 914-965-8800 ext. #139.

Sincerely yours,

William Saltzman  
Corporate VP - Legal

E1/ap  
la120283

Att:

cc: Mr. Richard A. Baker  
Chief, Permits Administration Branch  
US Environmental Protection Agency, Region II  
26 Federal Plaza  
New York, NY 10278

Mr. Richard Gardineer  
Regional Solid Waste Engineer, Region III  
NYS-DEC  
21 South Putt Corners Road  
New Paltz, NY 12561

Polychrome

Mr. D. Wilder - VP - Operations  
Mr. E. Lowell - Mgr. - Operations Eng.  
Mr. N. Rella - Project Engr.-Government Compliance

47-15-15(7/82)

(b)

3

RCRA INSPECTION FORM JUL 11 1983

EPA Form 2790-10-1010B

NY 100-1010-1010B  
NEW YORK, NY 10607 Polychrome Corporation  
On the Hudson  
Yonkers New York 10702  
(914) 863-8600

Report Prepared for:

Generator

Transporter

HWM (TSD) facility

EDWARD M. LOWELL  
Manager of Engineering

Copy of report sent to the facility

Facility Information

Name: POLYCHROME CORP.  
Address: 137 ALEXANDER AVE.  
YONKERS N.Y.

EPA ID#: NYD 001833847

Date of Inspection: JUNE 10 1983

Participating Personnel

State or EPA Personnel: JACK DOTY

Facility Personnel: EDWARD LOWELL  
MNGR. OF ENGINEERING

Report Prepared by Name: J. DOTY

Agency: NYSDEC

Telephone #: 914-761-6660

RECEIVED  
JUL - 5 1983  
Subject: CI  
HAZARDOUS WASTE OPERATIONS Approved for the Director by: \_\_\_\_\_  
DIVISION RE SOLID WASTE

Summary of Findings

Facility Description and Operations

Polychrome employs 235 in manufacturing on 3 shifts and 45 in research and development on 1 shift for a 5 day week. Most wastes are generated in manufacturing and cleaning of photo sensitive aluminum printing plates. Research and development are located in an administrative building at the listed address. Manufacturing is conducted in a building diagonally across the intersection. Facility is located on the banks of the Hudson. They require preparation and implementation of a contingency plan and records on personnel training. At the time of inspection, barrels were not properly marked or labeled for transportation. H.W. are accumulated in a chain link fenced area adjacent to the rear of the manufacturing building.

Describe the activities that result in the generation of hazardous waste.

Facility manufactures photo sensitive aluminum printing plates used in photo lithography.

Identify the hazardous waste located on site, and estimate the approximate quantities of each. (Identify Waste Codes)

14 Barrels D001 ignitable mixed solvents

Is there reason to believe that the facility has hazardous waste on-site?

- a. If yes, what leads you to believe it is hazardous waste?  
Check appropriate boxes:

Company admits that its waste is hazardous during the inspection.

Company admitted the waste is hazardous in its RCRA notification and/or Part A Permit Application.

The waste material is listed in the regulations as a hazardous waste from a nonspecific source (§261.31)

The waste material is listed in the regulations as a hazardous waste from a specific source (§261.32)

The material or product is listed in the regulations as a discarded commercial chemical product (§261.33)

Testing has shown characteristics of ignitability, corrosivity, reactivity or extraction procedure toxicity, or has revealed hazardous constituents (please attach analysis report)

Company is unsure but there is reason to believe that waste materials are hazardous. (Explain)

Based on their knowledge of the wastes, they are categorized as halogenated solvents and ignitable solvents.

-1-

GENERATOR INSPECTION CHECKLIST

40 CFR 262 Subpart A-General

262.11 - Hazardous waste determination

- 1) Did the generator test the waste to determine whether it is hazardous?

Is the waste hazardous?

S/A

- 2) Is the generator determining that the waste exhibits a hazardous waste characteristic(s) based on its knowledge of the material(s) or processes used?

40 CFR 262 Subpart B-The Manifest

Has hazardous waste been shipped off-site since November 19, 1980?

If yes, approximately how many shipments, off-site, have been made and describe the approximate size of an average shipment made on a monthly basis. If facility is a small quantity generator, please explain.

30  
*approx. 20 barrels per shipment approx every 1 1/2 months*

262.21 Does each manifest (or representative sample) have the following information? Please circle the missing elements.

- a manifest document number?
- the generator's name, mailing address, telephone number and EPA I.D. Number?
- the transporter's name and EPA I.D. Number?
- the date, address and EPA ID Number of the designated facility?
- a description of the wastes (DOT)?
- the total quantity of each hazardous waste by units of weight or volume, and the type and number of containers as loaded into or onto the transport vehicle?
- a certification that the materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation under regulations of the DOT and EPA?

(obtain a copy of the incomplete manifest)

40 CFR 262 - Subpart C - Recordkeeping and Reporting

262.40 Has the generator maintained facility records since Nov. 19, 1980? (manifest, exception report and waste analysis)

262.42 Has the generator received signed copies (from the TSD facility) of all the manifests for waste shipped off-site more than 35 days ago?

If not, have Exception Reports been submitted to EPA covering any of these shipments made more than 45 days ago?

IN IN WA

49 CFR 392 - Subpart C - Transportation Requirements

262.30-33 Before transporting or offering hazardous waste for transportation off-site does the generator:

- 1) Package the waste in accordance with applicable DOT regulations (i.e., 49 CFR Parts 171, 173 & 178)  —  —
- 2) Label each package according to DOT (i.e., 49 CFR 173)  —  —
- 3) Mark each package according to DOT (i.e., 49 CFR 173)  —  —
- 4) Pack each container of 100 gallons or less with the words "Hazardous Waste - Federal Law Prohibits Improper Disposal." If found, contact the nearest police or public safety authority or the U.S. EPA, and include the generator name, address and manifest document number. (i.e., 49 CFR 171.364)  —  —

262.34 Accumulation Time

1) How is waste accumulated on-site?

- Container  
 Drum  
 Surface impoundments (complete SWTR checklist)  
 Piles (complete SWTR checklist)

2) Is waste accumulated for more than 90 days?

If yes, complete SWTR checklist  —  —

3) Is each container clearly dated with each period of accumulation so as to be verifiable by inspection?  —  —

4) Is each container or tank marked or labeled with the words "Hazardous Waste" in compliance with the SWTR labeling requirements?  —  —

1 bbl, 3/4 full, halogenated solvent not marked or labeled or closed. All other 14 barrels were closed but not properly marked or labeled. It was stated the barrels are marked and labeled before transportation.

STOP HERE IF THE HAZARDOUS WASTE MGT FACILITY (TSO) CHECKLIST IS FILLED OUT

192.14 - SPILL PREVENTION STANDARDS

(For generators who accumulate waste in tanks or containers for 90 days or less)

40 CFR 143 - Subpart C - Containers

192.14 - SPILL PREVENTION STANDARDS

265.170 - What type of containers are used for storage. Describe the size, type and quantity and nature of waste (e.g., 10 fifty-five gallon drums of waste acetone).

14 - 55 gal bbls D001 flammable mix solvents

265.171 - Do the containers appear to be in good condition, not in danger of leaking?

If not, please describe the type, condition and number of leaking or damaged containers. Be detailed and specific.

265.172 - Are incompatible wastes stored in containers made of compatible materials?

If not, please explain.

265.173(a) - Are all containers closed except those in use?  
*1 barrel in use, was open.*

X - -

265.173(b) - Do containers appear to be properly sealed, capped or stored in a manner which will minimize the risk of the container rupturing or leaking?

X - -

265.174 - Is the storage area inspected at least weekly?

X - -

265.175 - Are containers holding ignitable and reactive wastes located at least 50 feet (15 meters) away from the facility's property line?

X - -

265.177 - Are incompatible wastes stored separate from each other?

X - -

*log would list  
any problems*

165.19 - Personnel Training

- J.T. Baker  
mgmt & disposal of  
haz + chemical waste*
- 1) Have facility personnel successfully completed a program of classroom instruction or on-the-job training within 6 months of having been employed?  —
- If yes, have facility personnel taken part in an annual review of training?  —
- 2) Is there written documentation of the following:
- job title for each position at the facility related to hazardous waste management and the name of the employee filling each job?  —
  - type and amount of training to be given to personnel in jobs related to hazardous waste management?  —
  - actual training or experience received by personnel?  —
- 3) Are training records kept on all employees for at least 3 years?  —

40 CFR 265 - Subpart C - Preparedness and Prevention

- Sprinklers*
- 265.02 Does the facility comply with preparedness and prevention requirements including maintaining:
- an internal communications or alarm system?  —
  - a telephone or other device to summon emergency assistance from local authorities?  —
  - portable fire equipment?  —
  - water at adequate volume and pressure to supply water hose systems, foam producing equipment, etc.  —
- 265.03 Is equipment tested and maintained?  —
- 265.04 Is there immediate access to communications or alarm systems during handling of hazardous waste?  —
- 265.05 Adequate aisle space?
- If no, please explain storage pattern.  —

In your opinion, do the types of waste on-site require all of the above procedures, or are some not needed? Explain.

—

40 CFR 265 - Subpart D - Contingency Plan and Emergency Procedures

Does the facility have a written contingency plan for emergency procedures designed to deal with fires, explosions or any unplanned release of hazardous waste?

- 1) Does the plan describe arrangements made with the local authorities?  —
- 2) Has the contingency plan been submitted to the local authorities?  —
- 3) Does the plan list names, addresses and phone numbers of Emergency Coordinators?  —
- 4) Does the plan have a list of what emergency equipment is available?  —
- 5) Is there a provision for evacuating facility personnel?  —
- 6) Was there an emergency coordinator present or on call at the time of the inspection?  —

ENVIRONMENTAL PROTECTION  
AGENCY, REGION II  
NEW YORK, NY  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
1007 JUL -1 PM 2:42 REGION II

PERMIT AND REGULATIONS

In the Matter of  
POLYCHROME CORPORATION  
137 Alexander Street  
Yonkers, NY 10702  
NYD001833847 ✓

COMPLAINT, COMPLIANCE ORDER,  
AND NOTICE OF OPPORTUNITY  
FOR HEARING

Respondent : Docket No. II RCRA-87-0205

Proceeding Under Section 3008 of the  
Solid Waste Disposal Act, as amended.

COMPLAINT

This administrative proceeding is instituted pursuant to Section 3008 of the Solid Waste Disposal Act (the "Act"), as amended by the Resource Conservation and Recovery Act ("RCRA") of 1976, and the Hazardous and Solid Waste Amendments ("HSWA") of 1984, 42 U.S.C. §6901 et seq.

Section 3006(b) of the Act, 42 U.S.C. §6926(b), provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the federal program. The State of New York received final authorization to administer its hazardous waste program on May 29, 1986. Section 3008 of the Act as amended, 42 U.S.C. §6928, authorizes EPA to enforce the provisions of the authorized State program.

The Director of the Air and Waste Management Division of EPA, Region II, Complainant in this proceeding, has determined that Respondent, POLYCHROME CORPORATION, has violated Sections 3004 and 3005 of the Act, 42 U.S.C. §6924

and §6925, and the regulations promulgated thereunder, as hereinafter specified:

1. Respondent owns and operates a facility located at 137 Alexander Street, Yonkers, NY 10702 (the "facility"). Respondent is a "person," as that term is defined in Section 1004(15) of the Act, 42 U.S.C. §6903(15), and in 6 NYCRR §370.2(b)(102).

2. By notification dated August 19, 1980, and subsequent amendment dated February 23, 1983, Respondent informed EPA that it conducts activities at its facility involving "hazardous waste," as that term is defined in Section 1004(5) of the Act, 42 U.S.C. §6903(5), and in 6 NYCRR §370.2(b)(64).

3. On or about March 4, 1987, an inspection of the facility was conducted by a duly designated representative of EPA pursuant to Section 3007 of the Act, 42 U.S.C. §6927. Said inspection was conducted for the purpose of determining compliance with the Act as amended and New York State regulations for hazardous waste management, 6 NYCRR Parts 372 and 373 promulgated pursuant to Article 27, Title 7 and 9 of the Environmental Conservation Law.

4. During the above referenced inspection, the following violations of RCRA and of the New York State regulations for hazardous waste management were identified:

a. 6 NYCRR §372.2(a)(8)(ii) requires that the date upon which each period of accumulation begins be clearly marked and visible for inspection on all containers. The date of accumulation was not clearly marked and visible for inspection on one container of hazardous waste being stored at Respondent's facility. Respondent was therefore in violation of 6 NYCRR §372.2(a)(8)(ii).

b. 6 NYCRR S373-3.9(f) requires that containers holding ignitable or

reactive waste are located at least 15 meters (50 feet) from the facility property line. Respondent stored, at the time of inspection, thirty-two drums of ignitable waste within 15 meters from the facility property line. Respondent was therefore in violation of 6 NYCRR §373-3.9(f).

c. 6 NYCRR §373-3.2(h)(1) requires that the owner or operator must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. The waste must be separated and protected from sources of ignition or reaction. The wastes were stored in the open near an unguarded gate without any protection from sources of ignition. Respondent was therefore in violation of 6 NYCRR §373-3.2(h)(1).

d. 6 NYCRR §372.2(c)(2) requires a generator to send two copies of a hazardous waste activity annual report to the New York State Department of Environmental Conservation (DEC) no later than March 1, for the preceding calendar year. However, Respondent had not sent the 1986 annual report to DEC by March 1, 1987. Therefore, Respondent was in violation of 6 NYCRR §372.2(c)(2).

e. 6 NYCRR §373-3.2(g)(2) requires new facility personnel to complete personnel training programs in hazardous waste management procedures within six months after the date of their employment. Respondent hired several new personnel to handle hazardous wastes or to serve as alternate emergency coordinators. Those new personnel had not completed any personnel training programs in hazardous waste management within six months after the date of their employment. Respondent was therefore in violation of 6 NYCRR §373-3.2(g)(2).

f. 6 NYCRR §373-3.2(g)(3) requires facility personnel to take part in an annual review of the initial training program required by §373-3.2(g)(1).

There was no such official personnel training program. Respondent was therefore in violation of 6 NYCRR §373-3.2 (g)(3).

g. 6 NYCRR §373-3.3(f) requires the facility to maintain adequate aisle space in the storage area. The facility stored many drums in the yard so closely packed that the movement of personnel was obstructed. Respondent was therefore in violation of 6 NYCRR §373-3.3(f).

h. 6 NYCRR §373-3.4(f) requires the facility to amend the contingency plan whenever there are changes. Some of the key employees listed in the contingency plan had left the company. However, the contingency plan was not updated to reflect the personnel changes. Respondent was therefore in violation of 6 NYCRR §373-3.4(f).

PROPOSED CIVIL PENALTY

In view of the above cited violations, and pursuant to the authority of Section 3008 of the Act, Complainant herewith proposes the assessment of a civil penalty in the amount of three thousand five hundred dollars (\$3,500.00) against Polychrome Corporation, for the violations specified hereinabove as follows: (See Attachments 1,2, & 3)

- for violations of 6 NYCRR §373-3.9(f):	\$1,000.00
- for violations of 6 NYCRR §373-3.2(h)(1):	1,000.00
- for violations of 6 NYCRR §373-3.3(f):	1,000.00
- for violations of 6 NYCRR §372.2(a)(8)(ii):	100.00
- for violations of 6 NYCRR §372.2(c)(2):	100.00
- for violations of 6 NYCRR §373-3.2(g)(2):	100.00
- for violations of 6 NYCRR §373-3.2(g)(3):	100.00
- for violations of 6 NYCRR §373-3.4(f):	100.00
Total	\$3,500.00

COMPLIANCE ORDER

Respondent shall, upon the effective date of this Compliance Order, cease violation of and comply with 6 NYCRR Parts 372 and 373 as follows:

- a. Immediately mark all the drums containing hazardous waste in accordance with 6 NYCRR §372.2(a)(8)(ii).
- b. Immediately move all drums of hazardous waste beyond 15 meters (50 feet) of the facility property line in accordance with 6 NYCRR §373-3.9(f).

- c. Immediately move all drums to prevent accidental ignition or reaction of ignitable or reactive waste in accordance with 6 NYCRR §373-3.2(h)(1).
- d. Within 30 days of the issuance of the Complaint in this matter, send two copies of the 1986 annual report to the New York State Department of Environmental Conservation in accordance with 6 NYCRR §372.2(c)(2).
- e. Within 30 days of the issuance of the Complaint in this matter, begin to train new facility personnel or if such training has been given submit paperwork to document that that training has been given in accordance with 6 NYCRR §373-3.2(q)(2).
- f. Within 30 days of the issuance of the Complaint in this matter, provide facility personnel with an annual review of their initial training program in accordance with 6 NYCRR §373-3.2(q)(3).
- g. Immediately move all drums of hazardous waste to provide adequate aisle space in accordance with 6 NYCRR §373-3.3(f).
- h. Within 30 days of the issuance of the Complaint in this matter, amend the contingency plan to reflect personnel changes in accordance with 6 NYCRR §373-3.4(f).

NOTICE OF LIABILITY FOR ADDITIONAL CIVIL PENALTIES

Pursuant to the terms of Section 3008(a)(3) of the Act, a violator failing to take corrective action within the time specified in a Final Compliance Order is liable for a civil penalty of up to \$25,000 for each day of continued noncompliance. Such continued noncompliance may also result in suspension or revocation of any permits issued to the violator pursuant to the authority of the Act.

NOTICE OF OPPORTUNITY TO REQUEST A HEARING

As provided in Section 3008(b) of the Act, and in accordance with EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22, 45 Fed. Reg. 24363 (April 9, 1980) (a copy of which accompanies this Complaint, Compliance Order, and Notice of Opportunity for Hearing), you have the right to request a hearing to contest any material fact set out in the Complaint, or to contest the appropriateness of the proposed penalty, or the terms of the Compliance Order. (Consistent with the provisions of Section 3008(b) of the Act, the hearing provided will be noticed and open to the general public, should you specifically request such a public hearing. In the absence of such a specific request, however, public notice of a scheduled hearing will not be published.)

To avoid being found in default, and having the proposed civil penalty assessed and the Compliance Order confirmed without further proceedings, you must file a written answer to the Complaint, which may include a request for a hearing. Your answer (if any) must be addressed to the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10278, and must be filed within 30 days of your receipt of this Complaint, Compliance Order, and Notice of Opportunity for Hearing. Your answer must clearly and directly admit, deny or explain each of the factual allegations contained in the Complaint, and should contain: (1) a clear statement of the facts which constitute the grounds of defense, and (2) a concise statement of the contentions which you intend to place in issue at the hearing.

The denial of any material fact, or the raising of any affirmative defense, will be construed as a request for a hearing. Failure to deny any of the factual allegations in the Complaint will be deemed to constitute an admission of the undenied allegations. Your failure to file a written answer within 30 days of receipt of this instrument will be deemed to represent your admission of all facts alleged in the Complaint, and a waiver of your right to a formal hearing to contest any of the facts alleged by the Complainant. Your default will result in the final issuance of the Compliance Order, and assessment of the proposed civil penalty, without further proceedings.

#### INFORMAL SETTLEMENT CONFERENCE

Whether or not you request a hearing, the EPA encourages settlement of this proceeding consistent with the provisions of the Act. At an informal conference with a representative of the Complainant, you may comment on the charges and provide whatever additional information you feel is relevant to the disposition of this matter, including any actions you have taken to correct the violation, and any other special circumstances you care to raise. The Complainant has the authority to modify the amount of the proposed penalty, where appropriate, to reflect any settlement agreement reached with you in such conference, or to recommend that any or all of the charges be dismissed, if the circumstances so warrant. Your request for an informal conference and other questions that you may have regarding this Complaint, Compliance Order, and Notice of Opportunity for Hearing should be directed to Flaire Hope Mills, Assistant Regional Counsel, Waste and Toxic Substances Branch, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10278, telephone (212) 264-5687.

Please note that a request for an informal settlement conference does not extend the 30 day period during which a written answer and request for a hearing must be submitted. The informal conference procedure may be pursued as an alternative to or simultaneously with the adjudicatory hearing procedure. However, no penalty reduction will be made simply because such a conference is held. Any settlement which may be reached as a result of such conference will be embodied in a written Consent Agreement and Final Compliance Order to be issued by the Regional Administrator of EPA, Region II, and signed by you or your representative. Your signing of such Consent Agreement would constitute a waiver of your right to request a hearing on any matter stipulated to therein.

RESOLUTION OF THIS PROCEEDING WITHOUT HEARING OR CONFERENCE

Instead of filing an answer requesting a hearing or requesting an informal settlement conference, you may choose to comply with the terms of the Compliance Order, and to pay the proposed penalty. In that case, payment should be made by sending to the EPA - Region II (Regional Hearing Clerk), P.O. Box 360188M Pittsburgh, Pennsylvania 15251, a cashier's or certified check in the amount of the penalty specified in the "Proposed Civil Penalty" section of this instrument. Your check must be made payable to the Treasurer, United States of America.

DATED:

COMPLAINANT:

William S. Balmer

CONRAD SIMON  
Director  
Air and Waste Management Division  
Environmental Protection Agency  
Region II

TO: Don Wheeler, President  
Polychrome Corporation  
137 Alexander Street  
Yonkers, N.Y. 10702

cct: Richard Williams, Compliance Counsel  
for Environmental Quality, NYSDEC

David Matrici, Chief  
Bureau of Hazardous Waste Operations, NYSDEC

Jim Reidy, P.E.  
Regional Hazardous Waste Engineer  
Region 3, NYSDEC

bcc: Dit F. Cheung, 2AWM-HWC (W/Attach.)  
Laura Livingston, 2OPM-PA (W/Attach.)  
Flaire Hope Mills, 2ORC-WTS (W/Attach.)  
Stanley Siegel, 2AWM-HWC (W/Attach.)  
H. Mulholland, 2AWM-HWC (W/Attach.)  
George Meyer, 2AWM-HWC (W/Attach.)

CERTIFICATE OF SERVICE

This is to certify that on the 30<sup>th</sup> day of June , 1987 I served a true and correct copy of the foregoing Complaint and copy of the Consolidated Rules of Practice, 40 CFR Part 22, by certified mail to Don Wheeler, President, Polychrome Corporation, 137 Alexander Street, Yonkers, N Y 10702. I hand carried the original foregoing Complaint to the Regional Hearing Clerk.

Avera M. Robinson

ATTACHMENT 1

REASONING BEHIND PROPOSED PENALTY

Pursuant to 40 CFR §22.14(4) and (5), EPA is providing you this statement explaining the reasoning behind the proposed penalty assessed for each violation cited in this Complaint. Attached to this Complaint you will find the EPA Penalty Computation Worksheet ("worksheet") for each violation for which you have been assessed a proposed penalty (Attachment 2).

Section 3008(c) states that the seriousness of the violation must be taken into account in assessing penalties. The seriousness of a violation is based on the potential for harm and extent of deviation from a statutory or regulatory requirement, which provide the basis for determining the gravity-based penalty.

EPA is providing you with a copy of the Penalty Assessment Matrix from which the Matrix Cell Range was selected (Attachment 3), as well as the following explanation of each entry on the worksheet:

- 1) For violations of 6 NYCRR §373-3.9(f), §373-3.2(h)(1) and §373-3.3(f).

◦ The "Potential for Harm" present in these violations was determined to be Minor because the violations pose a relatively low likelihood of exposure to hazardous waste.

◦ The "Extent of Deviation" present in those violations was determined to be Moderate because they are a significant deviation from the requirements of the regulations. The 32 drums in violation were stored

temporarily outside the regularly designated storage area. The majority of wastes were stored in a properly enclosed storage area which was full at the time of inspection.

The "Total Penalty Amount" of \$1,000.00 based on the above factors was determined to be the appropriate penalty for each of the Respondent's violations of 6 NYCRR §373-3.9(f), §373-3.2(h)(1) and §373-3.3(f).

2) For violation of 6 NYCRR §372.2 (a)(8)(ii), §372.2(c)(2), §373-3.2 (g)(2), §373-3.2(g)(3) and §373-3.4(f).

\* The "Potential for Harm" present in these violations was determined to be Minor because the omission to act had or may have had an adverse affect on the statutory or regulatory purposes or procedures for implementing the RCRA program.

\* The "Extent of Deviation" present in these violations was determined to be Minor because the violator deviated somewhat from the regulatory requirements but most of the requirements were met.

The "Total Penalty Amount" of \$100.00 based on the above factors was determined to be the appropriate penalty for each of the Respondent's violations of 6 NYCRR §372.2(a)(8)(ii), §372.2(c)(2), §373-3.2 (g)(2), §373-3.2(g)(3) and §373-3.4(f).

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ATTACHMENT 2

PENALTY COMPUTATION WORKSHEET

Company Name: Polychrome Corporation

Regulation Violated: 6 NYCRR §373-3.9 (f), §373-3.2(h)(1) and  
§373-3.3(f)

Assessments for each violation should be determined on separate worksheets and totalled.

Part I - Seriousness of Violation Penalty

1. Potential for Harm: Minor

2. Extent of Deviation: Moderate

3. Matrix Cell Range: \$500-\$1,499

Penalty Amount Chosen: 3X \$1,000.00

Justification for Penalty Amount Chosen: the permittee will have those drums picked-up for disposal soon

4. Per-Day Assessment: 3X \$1,000

Part II - Penalty Adjustments

Percentage Change\*      Dollar Amount

1. Good faith efforts to comply/lack of good faith: N/A      N/A

2. Degree of willfulness and/or negligence: N/A      N/A

3. History of noncompliance: N/A      N/A

4. Other unique factors: N/A      N/A

5. Justification for Adjustments:

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-Day Penalty (Line 4, Part I & Lines 1-4, Part II):	<u>3X \$1,000</u>
7. Number of Days of Violation:	<u>N/A</u>
8. Multi-day Penalty (Number of days x Line 6, Part II):	<u>N/A</u>
9. Economic Benefit of Noncompliance:  Justification:	<u>N/A</u>
10. Total (Lines 8 & 9, Part II):	<u>3X \$1,000</u>
11. Ability to Pay Adjustment:  Justification for Adjustment:	<u>N/A</u>
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	<u>3X \$1,000 = \$3,000</u>

ATTACHMENT 2

PENALTY COMPUTATION WORKSHEET

Company Name: Polychrome Corporation

Regulation Violated: 6 NYCRR §372.2(a)(8)(ii), §372.2(c)(2),  
§372-3.2(g)(2), §372-3.2(g)(3) and §373-3.4(f)

Assessment for each violation should be determined on separate worksheets and totalled.

Part I - Seriousness of Violation Penalty

1. Potential for Harm: Minor
2. Extent of Deviation: Minor
3. Matrix Cell Range: \$100 - \$499  
Penalty Amount Chosen: 5X \$100  
Justification for Penalty Amount Chosen: the permittee should have update the documents as soon as changes occurred
4. Per-Day Assessment: 5X \$100

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u>N/A</u>	<u>N/A</u>
2. Degree of willfulness and/or negligence:	<u>N/A</u>	<u>N/A</u>
3. History of noncompliance:	<u>N/A</u>	<u>N/A</u>
4. Other unique factors:	<u>N/A</u>	<u>N/A</u>
5. Justification for Adjustments:		

PENALTY COMPUTATION WORKSHEET (cont.)

6. Adjusted Per-Day Penalty (Line 4, Part I & Lines 1-4, Part II):	5X \$100
7. Number of Days of Violation:	N/A
8. Multi-day Penalty (Number of days x Line 6, Part II):	N/A
9. Economic Benefit of Noncompliance:	N/A
10. Total (Lines 8 & 9, Part II):	5X \$100
11. Ability to Pay Adjustment:  Justification for Adjustment:	N/A
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	5 X \$100 = \$ 500

## MATRIX

## Extent of Deviation from Requirement

		MAJOR	MODERATE	MINOR
Potential for Harm	MAJOR	\$25,000 to 20,000	\$19,999 to 15,000	\$14,999 to 11,000
	MODERATE	\$10,999 to 8,000	\$7,999 to 5,000	\$4,999 to 3,000
	MINOR	\$2,999 to 1,500	\$1,499 to 500	\$499 to 100

United States Environmental Protection Agency  
Washington, DC 20460

# EPA Notification of Hazardous Waste Activity

## For Official Use Only

## Comments

C								
C								

## Installation's EPA ID Number

## Approved

## Date Received

T/A C  
800818

## I. Name of Installation

POLYCHROME CORPORATION - R&amp;D

## II. Installation Mailing Address

## Street or P.O. Box

C	3137 ALEXANDER STREET			
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## City or Town

## State ZIP Code

YONKERS

NY 10702

## III. Location of Installation

## Street or Route Number

C	5137 ALEXANDER STREET			
---	-----------------------	--	--	--

## City or Town

## State ZIP Code

YONKERS

NY 10702

## IV. Installation Contact

## Name and Title (last, first, and job title)

## Phone Number (area code and number)

C	GIGI RALPH J ENV.Mgr.	9143784567
---	-----------------------	------------

## V. Ownership

## A. Name of Installation's Legal Owner

## B. Type of Ownership (enter code)

C	POLYCHROME CORP.	P
---	------------------	---

## VI. Type of Regulated Waste Activity (Mark 'X' in the appropriate boxes. Refer to instructions.)

## A. Hazardous Waste Activity

## B. Used Oil Fuel Activities

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> 1a. Generator   | <input checked="" type="checkbox"/> 1b. Less than 1,000 kg/mo. | <input type="checkbox"/> 6. Off-Specification Used Oil Fuel<br>(enter 'X' and mark appropriate boxes below)                              |
| <input type="checkbox"/> 2. Transporter   |  | <input type="checkbox"/> a. Generator Marketing to Burner  |
| <input type="checkbox"/> 3. Treater/Storer/Disposer   |  | <input type="checkbox"/> b. Other Marketer   |
| <input type="checkbox"/> 4. Underground Injection   |  | <input type="checkbox"/> c. Burner   |
| <input type="checkbox"/> 5. Market or Burn Hazardous Waste Fuel<br>(enter 'X' and mark appropriate boxes below) | <input type="checkbox"/> a. Generator Marketing to Burner      | <input type="checkbox"/> 7. Specification Used Oil Fuel Marketer (or On-site Burner)<br>Who First Claims the Oil Meets the Specification |
|   | <input type="checkbox"/> b. Other Marketer                     |  |
|   | <input type="checkbox"/> c. Burner                             |  |

## VII. Waste Fuel Burning: Type of Combustion Device (enter 'X' in all appropriate boxes to indicate type of combustion device(s) in which hazardous waste fuel or off-specification used oil fuel is burned. See instructions for definitions of combustion devices.)

 A. Utility Boiler B. Industrial Boiler C. Industrial Furnace

## VIII. Mode of Transportation (transporters only - enter 'X' in the appropriate box(es))

- A. Air     B. Rail     C. Highway     D. Water     E. Other (specify)

## IX. First or Subsequent Notification

Mark 'X' in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification. If this is not your first notification, enter your installation's EPA ID Number in the space provided below.

- A. First Notification     B. Subsequent Notification (complete item C)

## C. Installation's EPA ID Number

C							
W							

T/A C  
1**X. Description of Hazardous Wastes (continued from front)**

A. Hazardous Wastes from Nonspecific Sources. Enter the four-digit number from 40 CFR Part 261.31 for each listed hazardous waste from nonspecific sources your installation handles. Use additional sheets if necessary.

1 FOO3	2	3	4	5	6
7	8	9	10	11	12

B. Hazardous Wastes from Specific Sources. Enter the four-digit number from 40 CFR Part 261.32 for each listed hazardous waste from specific sources your installation handles. Use additional sheets if necessary.

13	14	15	16	17	18
19	20	21	22	23	24
26	26	27	28	29	30

C. Commercial Chemical Product Hazardous Wastes. Enter the four-digit number from 40 CFR Part 261.33 for each chemical substance your installation handles which may be a hazardous waste. Use additional sheets if necessary.

31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48

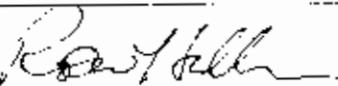
D. Listed Infectious Wastes. Enter the four-digit number from 40 CFR Part 261.34 for each hazardous waste from hospitals, veterinary hospitals, or medical and research laboratories your installation handles. Use additional sheets if necessary.

49	50	51	52	53	54

E. Characteristics of Nonlisted Hazardous Wastes. Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles. (See 40 CFR Parts 261.21 — 261.24)

 1. Ignitable (D001) 2. Corrosive (D002) 3. Reactive (D003) 4. Toxic (D000)**XI. Certification**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signature 	Name and Official Title (type or print) Robert Hallman V.P. R+D.	Date Signed 2-12-88
--	---	------------------------

FINDS  
NOTICE OF CHANGE FORM

TO: RCRA  
EPA ID: NYD064308240

DATE: 1/14/91  
SOURCE #: \_\_\_\_\_

INFORMATION CHANGED IN FINDS:

NAME: Phelps Dodge Cable and Wire Co.

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIPCODE: \_\_\_\_\_

LATITUDE: \_\_\_\_\_ LONGITUDE: \_\_\_\_\_

SIC CODES: \_\_\_\_\_

SOURCE #: \_\_\_\_\_

Reason for change:  
(Supporting documents attached)

The Site Name mentioned above have been changed.  
The New Name is 'Cablec Corp'  
per reconciliation

1/14/91 changed (RE)

AE

X \* 8222  
8231 \* 8

\*\*\*  
8338 \* 0  
8331 \* 1

8317 \* 03  
8315 \* DEC  
8314 \* S  
8313 \* 03/11/1986  
8312 \* I  
8311 \* E

(D) (1) (E) 506; 378, (E) (1) (D)  
8324 \* I

8302 \* 8  
8301 \* 03/11/1986

8701 \* 0000

8701 \* X

0961 \* 11/07/1986  
0961 \* 10/1986

808 \* 02/04/1987  
8301 \* 0

\*\*\*  
1013 \* DIVISION OF HELPS DOGGE INDUSTRIES  
1403 \* H  
1 \* TOT  
319 \* MESTD-TESTER  
180 \* OO  
174 \* 149  
112 \* 9146362000  
102 \* 10701  
101 \* YINKEERS  
100 \* 10107 OF 90101 IN 31  
1002 \* 10702  
1001 \* 601  
100 \* A  
107 \* APINCERS  
106 \* PC BOX 394  
105 \* 2 REHABILITATION DIVISION ENGINEERING  
104 \* PHILLIPS 30000 CANNING PLATE COMPANY  
103 \* N  
101 \* NY0064306240  
100 \* 80  
99 \* 02  
98 \* 02  
97 \* 02  
96 \* 02  
95 \* 02  
94 \* 02  
93 \* 02  
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PRINTED ON RH COPIER BY NY0064306240

RECORDED BY NY0064306240

1 42004

2357\* 06/09/1986  
2360\* S  
2361\* P3  
2363\* RBN 3: 372, 1 (E) (1) (I)  
  
2364\* DEC  
2365\* R  
2366\* 06/09/1986

2401\* R  
2402\* I

2501\* 22  
2502\* 3  
2503\* R012201  
2508\* 01/31/1983

\*\*\*

2509\* 01/31/1983  
2524\* GO

1002\* I

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
Region II  
26 Federal Plaza  
New York, New York 10270

NYD064308240

PHELPS DODGE CABLE & WIRE CO.  
FOOT OF POINT STREET  
YONKERS, N.Y. 10701

NOTICE

The attached Notification Package provides the necessary information and appropriate forms for facilities to notify the U.S. Environmental Protection Agency (EPA) of hazardous waste activities. Section 3010(a) of the Resource Conservation and Recovery Act (RCRA) has established this requirement for anyone who treats, stores, disposes, generates, and/or transports hazardous waste substances anywhere in the United States.

Because of the nature of your operation, EPA has reason to believe you may have the potential to deal with hazardous waste substances. Your receipt of this letter and the attached Notification Package represents part of EPA's effort to contact the vast number of all parties who could be subject to the requirements of RCRA. The initial mass mailing for this occurred during June of 1980. Your facility may have been omitted from the initial mailing.

Attached is a blank package. It does not contain the labels that are described in the package's opening letter from the EPA Administrator. Instead, we have supplied these labels with this letter.

If, after reviewing the information in the package, you determine that you should notify, please fix the label that contains your name, address and your EPA Identification Number to the Notification Form. Should you decide that you do not qualify as a hazardous waste handler, please attach the pre-printed label to the upper right-hand corner of this letter, and check the appropriate box(es) on the reverse side. Two EPA mailing address labels have also been enclosed with this letter. Please use one of these labels to return your completed Notification Form (or this letter) to your EPA regional office. The remaining label can be used by those who must later submit a hazardous waste permit application form. Envelopes have been supplied in the package.

It is essential that we know the status of your operations under the RCRA regulations. The law mandates that if you handle hazardous wastes you must notify us within certain timeframes (as outlined in the attached package). Failure to notify us by the required dates may result in an agency enforcement action or an order to immediately cease all hazardous waste activities. If you do not handle hazardous waste, we urge you to check off the appropriate boxes and return this letter to us. Upon receipt of your valid "negative notification" in the form of the completed checkoff on this letter, you will be removed from our active records and will have no further reporting obligations under RCRA (unless you initiate hazardous waste activities at a later date).

For further information contact:

Mr. Tom Taccone or Ms. Marian Tascarella  
Permits Administration Branch  
United States Environmental Protection Agency  
Region II  
26 Federal Plaza

or call (212) 264-9880. If you are located in Puerto Rico or the Virgin Islands call (809) 725-7825.

If you find that your waste is non-hazardous, indicate below the basis for your decision:

Exempt by test procedure (see 40 CFR Part 261, Appendix II)

Non-hazardous wastes (Waste is not specifically listed in the regulations and fails to meet the defining characteristics of ignitability, corrosivity, reactivity and EP toxicity). Please specify type and amount handled below-attach separate sheet if necessary. Water soluble oil (G. Whitfield  
Richards ADE) - 100 gallons/year  
Oakite Liquatrim/oil/water solution - 1,000 gallons/month

No wastes handled.

If hazardous waste(s), as defined by 40 CFR Part 261.3 of RCRA is handled at your facility but is excluded under the provisions of 40 CFR Part 261.5(f), please check one or more of the appropriate boxes below:

Small Quantity Generators: (See 40 CFR Parts 261.31, 261.32 and 261.33(f))

Generate greater than zero but less than 100 kg/month

Generate greater than 100 kg/month but less than 1000 kg/month

If you are a Small Quantity Generator please indicate the type(s) and amount(s) of hazardous waste(s) involved.

EPA Hazardous Waste Number(s) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
Quantity(ies) (kg/month) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

Small Quantity Generators of Acutely Toxic Waste Materials (See 40 CFR Parts 261.5(c)) and 261.33(e))

Greater than zero but less than 1 kg/month of material (261.5c(1))

Greater than zero but less than 1 kg/month of off-specification material (261.5c(2))

Greater than zero but less than 10 kg/month of container inner liners (261.5c(4))

Greater than zero but less than 100 kg/month of spill residues (261.5c(5))

If you do generate any acutely toxic waste material at your site, please indicate the type(s) and amount(s) of hazardous waste involved.

EPA Hazardous Waste Number(s) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
Quantity(ies) (kg/month) \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

If you are a small quantity generator of hazardous waste, please indicate your ultimate method of disposal.

Waste disposed on-site

Waste transported off-site

Comments:

Ronald N. Janowitz  
Printed Name of Person Notifying

Manufacturing Operations Analyst  
Title

August 26, 1990  
Date Notification Signed

Ronald N. Janowitz  
Signature of Notifier

# FOIA Report of Non-Sensitive Compliance Monitoring and Enforcement Data

Report run on: November 22, 2013 - 4:06 PM

Version 6.0

## User Selection Criteria

Location:	New York, all activities	Activity Location:	None Chosen
Handler ID:	NYD001833847	Group of IDs:	None Chosen
Handler Name:			
Handler Universe:	All Facilities Regardless of Universe		
Determined Data Range:	From: 10/01/1980 To: 11/22/2013		
Location County Code:	None Chosen		
Location City:			
Location Zip Code:			
State District:	None Chosen		
Sort Order:	Region, State, Handler Name		
	Evaluation Type:		
	Focus Area:		
	Violation Type:		
	Display Code Descrip.:	Yes	
	Display Universes:	Yes	

## Results

Data meeting the criteria you selected follows.

Total Pages: 5      Total Handlers: 1

## Report Description

This report presents available information from the Resource Conservation and Recovery Act Information System (RCRAInfo) about compliance evaluations, violations, and enforcement actions meeting the criteria supplied by the user. Evaluations showing no violations does not always indicate that no violations were determined. Violation without enforcement actions does not always mean no enforcement action will be issued. In order to avoid releasing enforcement sensitive information to the public the following information is not shown on the report: pending civil / judicial referrals, criminal actions and referrals, and State to EPA referrals; all other enforcement actions are released.

## Report Information

Name:	cme_foia.rdf
Developed by:	EPA Headquarters, Office of Enforcement and Compliance Assurance
Deployed:	June 2006
Last Updated:	May 2012
Contact:	rcraInfo.help@epa.gov
Tables Used:	cmeccomp3, ccitation3, hreport_univ5, lu_citation, lu_state, hid_groups
Libraries:	none

# FOIA Report of Non-Sensitive Compliance Monitoring and Enforcement Data

Report run on: November 22, 2013 - 4:06 PM

Page 2

## POLYCHROME CORP

Location: 137 ALEXANDER ST, YONKERS, NY 10702

Mailing: 137 ALEXANDER ST, YONKERS, NY 10702

County Name / Code: WESTCHESTER / NY:19										NYD001833847	
REGION 02											
Activity Location: NY	State District: NYSDEC R3	Accessibility:	Non-Hazardous:	Extract Flag: Y	Active Site: N						
Generator: N	Transporter: N	Operating TSDF: N	IC In Place: N	EI Indicator (HE / GN) N, N							
Short-Term Gen: N	Transfer Facility: N	Offsite Receiver: N	N	Subpart K: —							
Full Enforcement: —	Converter: —	State Unaddressed SNC: N	N								
CA Whld: N	State TSDF: —	State Addressed SNC: N	N								
Active State Gen: N	State SNC w/Comp Sched: N	State SNC w/Comp Sched: N	N								
Activity Location: NY	Type: 262 A	Determined Date: 06/15/1990	Determined by Agency: State	Responsible Agency: State							
Scheduled Compliance Date: 10/16/1990	Actual Compliance Date: 11/01/1990	RTC Qualifier: OBSERVED		Sequence Number: 5							
CEI Evaluation 06/15/1990	Activity Location: NY	By: State	Identifier: D04	Person: NYDEC	Branch: —	Found Violation: YES					
Citizen Complaint: NO	Multimedia Inspection: ND	Sampling: NO	Not Sublts C: NO	Day Zero: —		Focus Area: —					
Enforcement: Activity Location: NY	Type: 120	Action Date: 07/27/1990	Identifier: 004	Person: NYDEC	Branch: —						
Docket:	Agency: State	Responsible Person: NYDEC	Branch: —								
CA Component: N	Disposition Status:	Appeal Initiated:	Appeal Resolved:								
Activity Location: NY	Type: 262 A	Determined Date: 09/07/1988	Determined by Agency: State	Responsible Agency: State							
Scheduled Compliance Date: 10/03/1988	Actual Compliance Date: 11/29/1988	RTC Qualifier: OBSERVED		Sequence Number: 4							
CEI Evaluation 09/07/1988	Activity Location: NY	By: State	Identifier: 003	Person: NYDEC	Branch: —	Found Violation: YES					
Citizen Complaint: NO	Multimedia Inspection: ND	Sampling: ND	Not Sublts C: NO	Day Zero: —		Focus Area: —					
Enforcement: Activity Location: NY	Type: 120	Action Date: 09/30/1988	Identifier: 003	Person: NYDEC	Branch: —						
Docket:	Agency: State	Responsible Person: NYDEC	Branch: —								
CA Component: N	Disposition Status:	Appeal Initiated:	Appeal Resolved:								
Activity Location: NY	Type: 262 A	Determined Date: 03/04/1987	Determined by Agency: EPA	Responsible Agency: EPA							
Scheduled Compliance Date: 05/15/1987	Actual Compliance Date: 11/28/1988	RTC Qualifier: OBSERVED		Sequence Number: 5002							
CEI Evaluation 03/04/1987	Activity Location: NY	By: EPA Oversight	Identifier: R2CEI	Person: R2CEI	Branch: —	Found Violation: YES					
Citizen Complaint: NO	Multimedia Inspection: NO	Sampling: ND	Not Sublts C: NO	Day Zero: —		Focus Area: —					
Enforcement: Activity Location: NY	Type: 310	Action Date: 03/23/1988	Identifier: 000	Person: R2CEI	Branch: RCB						
Docket: 02-87-0346	Agency: EPA	Responsible Person: R2CEI	Branch: RCB								
Penalty Information: Proposed:	Final Monetary: \$2,000	Collected:	Total Final: \$2,000	Appeal Initiated:	Appeal Resolved:						
CA Component: N	Disposition Status:										
Enforcement: Activity Location: NY	Type: 210	Action Date: 06/03/1987	Identifier: 002	Person: R2CEI	Branch: —	Found Violation: YES					
Docket: 02-87-0346	Agency: EPA	Responsible Person: R2CEI	Branch: —								
Penalty Information: Proposed: \$3,500	Final Monetary: —	Collected: —	Total Final: —	Appeal Initiated:	Appeal Resolved:						
CA Component: N	Disposition Status:										

\* Note: Penalty amount may not reflect all violations cited.

# FoIA Report of Non-Sensitive Compliance Monitoring and Enforcement Data

Report run on: November 22, 2013 - 4:06 PM

Page 3

## POLYCHROME CORP, NYD001833847, YONKERS, NY, continued -

CEI Evaluation	Activity Location: NY Scheduled Compliance Date: 10/03/1988 CEI Evaluation Date: 03/04/1987 Citizen Complaint: NO Docket: 02-EI-0346	Type: 262.A Activity Location: NY Multimedia Inspection: NO Agency: EPA Penalty Information: <u>Penalty Information Printed Above</u> CA Component: N	Activity Location: NY Actual Compliance Date: 11/29/1988 By: EPA Oversight Sampling: NO Type: 310 Agency: EPA Disposition Status:	Determined Date: 03/04/1987 RTC Qualifier: OBSERVED Identifier: 002 Person: R2CEI Net Subfile C: NO Day Zero: Action Date: 03/25/1988 Responsible Person: R2CEI Appeal Initiated: Appeal Resolved:	Responsible Agency: EPA Sequence Number: 5033 Found Violation: YES Focus Area:
CEI Evaluation	Activity Location: NY Scheduled Compliance Date: 11/05/1984 CEI Evaluation Date: 07/26/1984 Citizen Complaint: NO Docket: CA Component: N	Activity Location: NY Multimedia Inspection: NO Agency: State Disposition Status:	Determined Date: 07/26/1984 Actual Compliance Date: 01/13/1985 By: State Sampling: NO Type: 120 Agency: State Disposition Status:	Determined by Agency: State RTC Qualifier: OBSERVED Identifier: 001 Person: R2 Net Subfile C: NO Day Zero: Action Date: 01/05/1984 Responsible Person: NYDEC Appeal Initiated: Appeal Resolved:	Responsible Agency: State Sequence Number: 1 Found Violation: YES Focus Area:

## Evaluations With No Violations:

CEI Evaluation	Activity Location: NY Citizen Complaint: NO	Activity Location: NY Multimedia Inspection: NO	By: State Sampling: NO	Identifier: 000 Person: NYWME Net Subfile C: NO Day Zero:	Responsible Agency: State Sequence Number: 1 Found Violation: NO Focus Area:
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Total Number of Handlers: 1

Total Number of Activity Locations: 1

\* End of Report \*

\* Note: Penalty amount may not reflect all violations cited.

# FOIA Report of Non-Sensitive Compliance Monitoring and Enforcement Data

Report run on: November 22, 2013 - 4:08 PM

Page 4

## Description of codes used on the report:

Universes	Description of Universes
Generator	Indicates that the facility is a Large Quantity Generator (LQG), Small Quantity Generator (SQG), Conditionally Exempt Small Quantity Generator (CEG), or not a generator (N).
Transporter	Indicates that the facility transports waste subject to RCRA regulations. ('Y' indicates that the facility is in this universe).
Operating TSDF	Indicates that the facility is a Treatment, Storage or Disposal facility subject to any type of enforcement. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment)
IC in Place	Indicates that the facility has institutional Controls in place. ('Y' indicates that the facility is in this universe).
El Indicator (HE / CM)	Indicates that the facility has controls in place for Environmental indicators. HE - Human Exposures ('Y' indicates the exposure exists and is under control; 'N' indicates the exposure does not exist) CM - Groundwater Release ('Y' indicates the exposure exists and is under control; 'N' indicates the exposure exists and is not under control; 'W' indicates the exposure does not exist)
Short-Term Gen Transfer Facility	Indicates that the facility is a short term or one time event generator and not generating from ongoing processes. Indicates that the facility transfers hazardous waste.
Offsite Receiver	Indicates that the facility whether public or private, currently accepts hazardous waste from another site (site identified by a different EPA ID).
HSM	Indicates that the facility manages hazardous secondary material(s) (e.g. spent material, by-product or sludge) that when discarded, would be identified as hazardous waste.
Subpart K	Indicates that the facility has opted into the subpart K laboratory rule. It then specifies the type of facility (C - College or University; H - Teaching Hospital; N - Non-profit Research Institute; W - withdrawal from the rule)
Full Enforcement	Indicates that the facility is a Treatment, Storage or Disposal facility which is part of the Full Enforcement universe. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment)
CA Workload	Indicates that the facility is part of the Comactive Action Workload universe. ('Y' indicates that the facility is in this universe).
Active State Gen	Indicates that the facility is an Active State Generator. ('Y' indicates that the facility is in this universe)
Converter	Indicates that the facility is a Converter Treatment, Storage or Disposal facility. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment)
State TSDF	Indicates that the facility is a State Treatment, Storage or Disposal facility. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment)
State Unaddressed SNC	Indicates that the facility is a State Unaddressed Significant Non-Complier. ('Y' indicates that the facility is in this universe).
State SNC w/ Compl. Sched	Indicates that the facility is a State Significant Non-Complier with a Compliance Schedule. ('Y' indicates that the facility is in this universe).
EPA Unaddressed SNC	Indicates that the facility is an EPA Unaddressed Significant Non-Complier. ('Y' indicates that the facility is in this universe).
EPA Addressed SNC	Indicates that the facility is an EPA Addressed Significant Non-Complier. ('Y' indicates that the facility is in this universe).
EPA SNC w/ Compl. Sched	: indicates if a facility is a EPA Significant Non-Complier with a Compliance Schedule. ('Y' indicates that the facility is in this universe).

\* Note: Penalty amount may not reflect all violations cited.

# FOIA Report of Non-Sensitive Compliance Monitoring and Enforcement Data

Report run on: November 22, 2013 - 4:06 PM

Page 5

## Description of codes used on the report:

ACCESSIBILITY - indicates the reason why the handler is not accessible for normal RCRA tracking and processing (previously called Bankruptcy indicator):	
Code	Description
B	indicates that the handler has filed for bankruptcy and bankruptcy litigation is in process.
C	indicates that all RCRA responsibilities for permitting/closure, corrective action, and compliance monitoring and enforcement at the facility have been formally transferred to the CERCLA program or state equivalent.
F	indicates that all responsible parties (owners/operators) for the handler have fled the country or are otherwise not available for prosecution
L	Indicates that the handler's case is tied up in litigation to the extent that further progress in achieving RCRA compliance through normal enforcement is not possible.

NON-NOTIFIER - indicates that the handler has been identified through a source other than Notification and is suspected of conducting RCRA-regulated activities without proper authority:	
Code	Description
E	indicates that the handler was initially a non-notifier, subsequently determined to be exempt from requirements to notify.
D	indicates that the handler is a former non-notifier.
X	indicates that the handler is a non-notifier.

Evaluation Type	Description	Type Description
202.A	GENERATORS - GENERAL	COMPLIANCE EVALUATION INSPECTION ON-SITE
Enforcement Type	Description	Enforcement Description
120		WRITTEN INFORMAL
210		INITIAL 300B(A) COMPLIANCE
310		FINAL 300B(A) COMPLIANCE ORDER

\* Note: Penalty amount may not reflect all violations cited.



**ACKNOWLEDGEMENT OF NOTIFICATION  
OF HAZARDOUS WASTE ACTIVITY  
(VERIFICATION)**

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER

**123456789012345**

**PHELPS DOBEE: CABLE AND WIRE COMPANY  
PO BOX 391  
TOOKERS**

**NY 10702**

INSTALLATION ADDRESS

**FOOT OF RIVER RD  
TOOKERS**

**NY 10701**



**ACKNOWLEDGEMENT OF NOTIFICATION  
OF HAZARDOUS WASTE ACTIVITY**

03/27/91

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER ->

NYD064308240

FACILITY NAME ->

CABLEC CORP

MAILING ADDRESS ->

PO BOX 391  
YONKERS, NY 10702

INSTALLATION ADDRESS ->

FOOT OF POINT ST  
YONKERS, NY 10701

EPA Form 8700-12AB (4-80)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II  
26 FEDERAL PLAZA  
NEW YORK, NEW YORK 10278

ATTN: PERMITS ADMINISTRATION BRANCH, ROOM 505

TO: BARRINGER L PLT ENGR  
CABLEC CORP  
PO BOX 391  
YONKERS, NY 10702



**U.S. ENVIRONMENTAL PROTECTION AGENCY**  
**NOTIFICATION OF HAZARDOUS WASTE ACTIVITY**

*With  
Refuse  
Generated  
Waste*

**PLEASE PLACE LABEL IN THIS SPACE**

**I. INSTALLATION'S EPA I.D. NO.**

**II. NAME OF INSTALLATION**

**III. INSTALLATION MAILING ADDRESS**

**IV. LOCATION OF INSTALLATION**

**FOR OFFICIAL USE ONLY**

**COMMENTS**

**V. OWNERSHIP**

**VI. TYPE OF OWNERSHIP**

**VI. NAME OF INSTALLATION'S LEGAL OWNER**

**VII. MODE OF TRANSPORTATION**

**VIII. FIRST OR SUBSEQUENT NOTIFICATION**

**IX. DESCRIPTION OF HAZARDOUS WASTES**

**INSTRUCTIONS:** If you received a preprinted label, affix it in the space at left. If any of the information on the label is incorrect, draw a line through it and supply the correct information in the appropriate section below. If the label is complete and correct, leave Items I, II, and III below blank. If you did not receive a preprinted label, complete all items. "Installation" means a single site where hazardous waste is generated, treated, stored and/or disposed of, or a transporter's principal place of business. Please refer to the **INSTRUCTIONS FOR FILING NOTIFICATION** before completing this form. The information requested herein is required by law (Section 3010 of the Resource Conservation and Recovery Act).

**Comments**

WNYDO643082402

## IX. DESCRIPTION OF HAZARDOUS WASTES (continued from front)

A. HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES. Enter the four-digit number from 40 CFR Part 261.31 for each listed hazardous waste from non-specific sources your installation handles. Use additional sheets if necessary.

1	2	3	4	5	6
7	8	9	10	11	12
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26

DETACH

B. HAZARDOUS WASTES FROM SPECIFIC SOURCES. Enter the four-digit number from 40 CFR Part 261.32 for each listed hazardous waste from specific industrial sources your installation handles. Use additional sheets if necessary.

13	14	15	16	17	18
19	20	21	22	23	24
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26
25	26	27	28	29	30
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26

C. COMMERCIAL CHEMICAL PRODUCT HAZARDOUS WASTES. Enter the four-digit number from 40 CFR Part 261.33 for each chemical substance your installation handles which may be a hazardous waste. Use additional sheets if necessary.

31	32	33	34	35	36
37	38	39	40	41	42
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26
43	44	45	46	47	48
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26

D. LISTED INFECTIOUS WASTES. Enter the four-digit number from 40 CFR Part 261.34 for each listed hazardous waste from hospitals, veterinary hospitals, medical and research laboratories your installation handles. Use additional sheets if necessary.

49	50	51	52	53	54
23 - 26	23 - 26	23 - 26	23 - 26	23 - 26	23 - 26

E. CHARACTERISTICS OF NON-LISTED HAZARDOUS WASTES. Mark "X" in the boxes corresponding to the characteristics of non-listed hazardous wastes your installation handles. (See 40 CFR Parts 261.21 - 261.24.)

1. IGNITABLE  
(D001)

2. CORROSIVE  
(D002)

3. REACTIVE  
(D003)

4. TOXIC  
(D004)

## X. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

SIGNATURE

NAME &amp; OFFICIAL TITLE (Type or print)

DAVID E. HARVEY  
MANAGER OF MANUFACTURING

DATE SIGNED

9/16/80



P.O. Box 391, Yonkers, New York 10702 • (914) 963-8200

*Amendment  
to Permit Contract  
File*

November 17, 1980

AMENDMENT  
TO PERMIT CONTRACT  
FILE  
RECEIVED  
NOV 17 1980  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
NEW YORK OFFICE  
100 CHAMBERS STREET  
NEW YORK, NY 10007

U. S. Environmental Protection Agency  
Permit Contract  
Permits Administration Branch  
Room 432  
26 Federal Plaza  
New York, New York 10007

Re: EPA I.D. No. NYD064308240

Gentlemen:

Pursuant to Section 3010 of the Solid Waste Disposal Act, as amended by the Resources Conservation and Recovery Act of 1976, and the regulations promulgated thereunder (The "Act"), Phelps Dodge Industries, Inc. on September 16, 1980 notified the EPA that the company may be storing, treating and disposing of substances defined as hazardous waste at its Yonkers facility. However, it was impossible for the company to make a final determination prior to the August 18, 1980 notification date as to whether the substances generated at its Yonkers facility were, in fact, hazardous waste and/or whether the hazardous waste generated at the facility were generated in such quantity as to be subject to regulation under Sub-Title C of the Act. This was due because of the large number of substances generated at the facility, because EPA-approved equipment for performing testing on those substances was not available because of certain ambiguities under the federal regulations and because of the short period of time during which sampling, testing, evaluating and preparation of notification Form 8700-12 was to be completed.

Section 3010 of the Act, however, clearly states that no identified or listed hazardous waste, subject to regulation under Sub-Title C can be transported, treated, stored or disposed of unless timely notification is given as required under Section 3010. Section 3010 of the Act further provides that existing treatment, storage or disposal facilities that do not provide notification pursuant to Section 3010 are ineligible for interim status under

Section 3005 (E) of the Act. In view of the requirements of Section 3010 and as a precautionary measure, the company timely notified the EPA with respect to its Yonkers facility, even though the analysis and measurement of the waste generated at that facility had not been completed by Phelps Dodge. The notification form was filed with the EPA in order to preserve the facility's eligibility for interim status if it were later determined, upon completion of the waste analysis, that hazardous waste were, in fact, generated and generated in such quantities as to be subject to regulation under Sub-Title C of the Act.

Since the filing of the notification form with the EPA, the company has analyzed and measured the waste generated at its Yonkers facility and has determined that said facility generates less than 1,000 kilograms of hazardous waste per month and is, therefore, exempt from the regulation as a hazardous waste management facility under Section 261.5 of the EPA Hazardous Waste regulations.

Accordingly, the Yonkers facility will not be filing for a hazardous waste management facility permit.

Very truly yours,

  
David E. Harvey  
Manager of Manufacturing

DEH/se

**RCRA GENERATOR INSPECTION FORM**

**COMPANY NAME:**

Phelps-Dodge Refining Corporation

**COMPANY ADDRESS:**

42-02 56th Road, Maspeth, N.Y.

**COMPANY CONTACT OR OFFICIAL:**

R.L. BAUGHMAN

TITLE: Environmental Coordinator

CHECK IF FACILITY IS ALSO A TSD

FACTILITY  They are not at TSD.

EPA I.D. NUMBER:

NYD 001293 y89 +  
(No longer listed)

INSPECTOR'S NAME:

ANNE L. SAWYER

**BRANCH/ORGANIZATION:**

NYS DEC, Pennington

DATE OF INSPECTION:

May 20, 1982. YES NO DON'T KNOW

- (1) Is there reason to believe that the facility has hazardous waste on site?

a. If yes, what leads you to believe it is hazardous waste? Check appropriate box:

Company admits that its waste is hazardous during the inspection.

Company admitted the waste is hazardous in its RCRA notification and/or Part A Permit Application.

The waste material is listed in the regulations as a hazardous waste from a nonspecific source (§261.31)

The waste material is listed in the regulations as a hazardous waste from a specific source (§261.32)

The material or product is listed in the regulations as a discarded commercial chemical product (§261.33)

EPA testing has shown characteristics of ignitability, corrosivity, reactivity or extraction procedure toxicity, or has revealed hazardous constituents (please attach analysis report)

Company is unsure but there is reason to believe that waste materials are hazardous. (Explain) **RECEIVED**

All wastes are recycled by Phelps Dodge.  
See last page for comments.  
They received a letter from EPA dated Jan. 15, 1981 excluding their operation.

RECEIVED

YES

NO

DON'T  
KNOW

- b. Is there reason to believe that there are hazardous wastes on-site which the company claims are merely products or raw materials?

Please explain:

- c. Identify the hazardous wastes that are on-site, and estimate approximate quantities of each.

- d. Describe the activities that result in the generation of hazardous waste.

*Electrolytic refining,*

*Wet bath furnace where finished electrodes are melted to form bars.*

- (2) Is hazardous waste stored on site?

- a. What is the longest period that it has been accumulated?

- b. Is the date when drums were placed in storage marked on each drum?

- (3) Has hazardous waste been shipped from this facility since November 19, 1980?

- a. If "yes," approximately how many shipments were made?

- (4) Approximately how many hazardous waste shipments off site have been made since November 19, 1980? *None*

- a. Does it appear from the available information that there is a manifest copy available for each hazardous waste shipment that has been made?

- b. If "no" or "don't know," please elaborate.

"(6) Has the generator submitted an annual report to EPA covering the previous calendar year?  YES  NO  DON'T KNOW

a. How do you know?

N/A

(7) Has the generator received signed copies (from the TSD facility) of all manifests for wastes shipped off site more than 35 days ago?

a. If "no," have Exception Reports been submitted to EPA covering these shipments?

(8) General comments.

~~Most~~ Most of the by-products of their process is sent to be reclaimed, as described in Phelps Dodge letter of Nov. 14, 1980 to William Friedman of EPA, Region 2.

1) Slag from furnaces is shipped to Phelps Dodge in Arizona, after being stored on their property.

2) Slime from electrolytic processing is shipped off-site for reclaiming.

3) They have a lagoon on site that stores sludge containing copper scum or iron oxide from the settling of their wastewater tanks. The water is contact cooling water from the casting of the copper anodes. The sludge also contains some tri-calcium phosphate used in the casting operation. The sludge from this lagoon is shipped to Arizona for reclaiming. The sludge in the lagoon passes the EP Toxicity Test according to lab analysis they have. The lagoon is not lined. The sludge was 6-8" deep according to Mr. Baughman. ~~will never use it~~

4) The company has a 1,000 gallon waste oil tank on site. They generate 2,000 gallons per year of waste crankcase oil + oil from their machines that they blend with their fuel oil. Oil is stored in drums & then poured into the waste oil tank. There was a recent spill while the person was pouring oil from the drums into the tank. The tank is not diked on all sides & a spill could enter Newtown Creek. They were told to dike the area around this tank by Usulua Basin, the SPDES engineer that was with me. There were 3 drums of ~~waste oil on the site~~. They were not labelled. The drums are stored on a concrete <sup>area</sup>. There was oil on the ground near the drums

\* The effective date for this requirement is March 1, 1982. <sup>area</sup> There was oil on the ground near the drums

<u>YES</u>	<u>NO</u>	<u>DON'T KNOW</u>
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- c. Does each manifest (or a representative sample) have the following information? *N/A*
- a manifest document number
  - the generator's name, mailing address, telephone number, and EPA identification number
  - the name, and EPA identification number of each transporter
  - the name, address and EPA identification number of the designated facility and an alternate facility, if any:
  - a description of the wastes (DOT)
  - the total quantity of each hazardous waste by units of weight or volume, and the type and number of containers as loaded into or onto the transport vehicle
  - a certification that the materials are properly classified, described, packaged, marked, and labeled, and are in proper condition for transportation under regulations of the Department of Transportation and the EPA
- (5) Were there any hazardous wastes stored on site at the time of the inspection?
- a. If "yes," do they appear properly packaged (if in containers) or, if in tanks, are the tanks secure?
  - b. If not properly packaged or in secure tanks, please explain.
  - c. Are containers clearly marked and labelled?
  - d. Do any containers appear to be leaking?
  - e. If "yes," approximately how many?



**ACKNOWLEDGEMENT OF NOTIFICATION  
OF HAZARDOUS WASTE ACTIVITY  
(VERIFICATION)**

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included or all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER	Hazardous Waste Treatment Facility ID: 001439 001439 001439		
INSTALLATION ADDRESS	123 Main Street Somewhere, USA 00000		

EPA Form 8700-12B (4-80)



# FOIA Report of Non-Sensitive Compliance Monitoring and Enforcement Data

Report run on: November 22, 2013 - 4:08 PM

Version 5.0

## User Selection Criteria

<b>Location:</b>	New York, all activities	<b>Activity Location:</b>	None Chosen
<b>Handler ID:</b>	NYDDE4308240	<b>Group of IDs:</b>	None Chosen
<b>Handler Name:</b>			
<b>Handler Universe:</b>	All Facilities Regardless of Universe		
<b>Determined Date Range:</b>	From: 10/01/1980 To: 11/22/2013	<b>Evaluation Type:</b>	
<b>Location County Code:</b>	None Chosen	<b>Focus Area:</b>	
<b>Location City:</b>		<b>Violation Type:</b>	
<b>Location Zip Code:</b>		<b>Display Code Descrip.:</b>	Yes
<b>State District:</b>	None Chosen	<b>Display Universes:</b>	Yes
<b>Sort Order:</b>	Region, State, Handler Name		

## Results

Data meeting the criteria you selected follows.

Total Pages: 4      Total Handlers: 1

## Report Description

This report presents available information from the Resource Conservation and Recovery Act Information System (RCRAInfo) about compliance evaluations, violations, and enforcement actions meeting the criteria supplied by the user. Evaluations showing no violations does not always indicate that no violations were determined. Violation without enforcement actions does not always mean no enforcement action will be issued. In order to avoid releasing enforcement sensitive information to the public the following information is not shown on the report: pending civil / judicial referrals, criminal actions and referrals, and State to EPA referrals; all other enforcement actions are released.

## Report Information

Name: crme\_foia.mif  
Developed by: EPA Headquarters, Office of Enforcement and Compliance Assurance  
Deployed: June 2006  
Last Updated: May 2012  
Contact: rcrainfo.help@epa.gov  
Tables Used: crmecomp3, citation3, report\_univ5, lu\_citation, lu\_state, hid\_groups  
Libraries: none

## FOIA Report of Non-Sensitive Compliance Monitoring and Enforcement Data

Report run on: November 22, 2013 - 4:08 PM

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<b>BLACKACRE PARTNERS OPS, LLC</b>		County Name / Code: WESTCHESTER / NY719		NYD0164308240	
Mailing: 233 ALEXANDER ST; YONKERS, NY 10701		<b>REGION 02</b>			
Activity Location: NY	State District:	Accessibility:	Non-Notifier:	Extract Flag:	Active Site: Y
Generator: Log	Transporter: N	Operating TSDF: _____	I/C In Place: N	EI Indicator (HE / GW): N / N	
Short-Term Gen: N	Transfer Facility: N	Offsite Receiver: HSM:	N	Subpart K: N	
Full Enforcement: _____	Converter: _____	State Unaddressed SNC: N	EPA Unaddressed SNC: N		
CA WHD: N	State TSDF: _____	State Addressed SNC: N	EPA Addressed SNC: N		
Active State Gen: N		State SNC w/Comp Schded: N	EPA SNC w/Comp Schded: N		
Activity Location: NY Type: 262 A		Determined Date: 02/11/1986	Determined by Agency: State	Responsive Agency: State	
Scheduled Compliance Date: 05/15/1986		Actual Compliance Date: 06/08/1986	RTTC Qualifier: OBSERVED	Sequence Number: 1	
CEI Evaluation: 03/1/1986	Activity Location: NY	By: State	Identifier: 001	Person: NYDEC	Branch: Found Violation: YES
Citizen Complaint: NO	Wtlltmedia Inspector: NO	Sampling: NO	Non Subfile C: NO	Day Zero:	Focus Area:
Enforcement: Activity Location: NY	Type: 120	Action Date: 04/15/1986	Identifier: 001	Responsible Person: NYDEC	Branch: Appeal Initiated: Appeal Resolved:
Docket: CA Component: N	Agency: State Disposition Status:				
Evaluations With No Violations:					
FCI Evaluation: 06/08/1986	Activity Location: NY	By: EPA	Identifier: 000	Person: R26G	Branch: RCB Found Violation: NO
Citizen Complaint: NO	Multimedia Inspection: NO	Sampling: NO	Non Subfile C: NO	Day Zero:	Focus Area: V3
Total Number of Handlers: 1	Total Number of Activity Locations: 1				
* End of Report *					

\* Note: Penalty amount may not reflect all violations cited.

# FOIA Report of Non-Sensitive Compliance Monitoring and Enforcement Data

Report run on: November 22, 2013 - 4:08 PM

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## Description of codes used on the report:

Universes	Description of Universes
Generator	Indicates that the facility is a Large Quantity Generator (LQG), Small Quantity Generator (SQG), Conditionally Exempt Small Quantity Generator (CEG), or not a generator (N).
Transporter	Indicates that the facility Transports waste subject to RCRA regulations. ('Y' indicates that the facility is in this universe).
Operating TSDF	Indicates that the facility is a Treatment, Storage or Disposal facility subject to any type of enforcement. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment).
IC In Place	Indicates that the facility has Institutional Controls in place. ('Y' indicates that the facility is in this universe).
EI Indicator (HE / GW)	Indicates that the facility has controls in place for Environmental Indicators. HE - Human Exposure ('Y' indicates the exposure exists and is under control; 'N' indicates the exposure does not exist) GW - Groundwater Release ('+' indicates the exposure exists and is under control; '-' indicates the exposure exists and is not under control; 'N' indicates the exposure does not exist)
Short-Term Gen Transfer Facility Offsite Receiver HSM	Indicates that the facility is a short term or one time event generator and not generating from ongoing processes. Indicates that the facility transports hazardous waste. Indicates that the facility, whether public or private, currently accepts hazardous waste from another site (site identified by a different EPA ID). Indicates that the facility manages hazardous secondary material(s) (e.g. spent material, by-product or sludge); that when discarded, would be identified as hazardous waste.
Subpart K	Indicates that the facility has opted into the subpart K laboratory rule. If then specifies the type of facility (C - College or University; H - Teaching Hospital; N - Non-profit Research Institute; W - withdrawal from the rule).
Full Enforcement	Indicates that the facility is a Treatment, Storage or Disposal facility which is part of the Full Enforcement universe. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment).
CA Workload	Indicates that the facility is part of the Corrective Action Workload universe. ('Y' indicates that the facility is in this universe).
Active State Gen	Indicates that the facility is an Active State Generator. ('Y' indicates that the facility is in this universe).
Convarnt	Indicates that the facility is a Converter Treatment, Storage or Disposal facility. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment)
State TSDF	Indicates that the facility is a State Treatment, Storage or Disposed facility. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment).
State Unaddressed SNC	Indicates that the facility is a State Unaddressed Significant Non-Compliant. ('Y' indicates that the facility is in this universe).
State Addressed SNC	Indicates that the facility is a State Addressed Significant Non-Compliant. ('Y' indicates that the facility is in this universe).
State SNC w/ Compl. Sched	Indicates that the facility is a State Significant Non-Compliant with a Compliance Schedule. ('Y' indicates that the facility is in this universe).
EPA Unaddressed SNC	Indicates that the facility is an EPA Unaddressed Significant Non-Compliant. ('Y' indicates that the facility is in this universe).
EPA SNC w/ Compl. Sched	Indicates that the facility is an EPA Significant Non-Compliant with a Compliance Schedule. ('Y' indicates that the facility is in this universe).

\* Note: Penalty amount may not reflect all violations cited.

## FOIA Report of Non-Sensitive Compliance Monitoring and Enforcement Data

Report run on: November 22, 2013 - 4:08 PM

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### Description of codes used on the report:

ACCESSIBILITY - indicates the reason why the handler is not accessible for normal RCRA tracking and processing (previously called Bankrupt indicator):	
Code	Description
B	indicates that the handler has filed for bankruptcy and bankruptcy litigation is in process.
C	indicates that all RCRA responsibilities for permitting/ensure, corrective action, and compliance monitoring and enforcement at the facility have been formally transferred to the CERCLA program or state equivalent.
F	Indicates that all responsible parties (owners/operators) for the handler have fled the country or are otherwise not available for prosecution.
L	indicates that the handler's case is tied up in litigation to the extent that further progress in achieving RCRA compliance through normal enforcement is not possible.

NON-NOTIFIER - indicates that the handler has been identified through a source other than Notification and is suspected of conducting RCRA-regulated activities without proper authority:	
Code	Description
E	Indicates that the handler was initially a non-notifier, subsequently determined to be exempt from requirements to notify.
O	Indicates that the handler is a former non-notifier.
X	Indicates that the handler is a non-notifier.

Violation Type	Description	Type Description
262 A	GENERATORS - GENERAL	
Evaluation Type	Type Description	
CEI	COMPLIANCE EVALUATION INSPECTION ON-SITE	
FCI	FOCUSSED COMPLIANCE INSPECTION	
Focus Area	Description	Enforcement Description
V3	CONVERTED FROM V2 RCRAINFO	
Enforcement Type	Description	
120	WRITTEN INFOMAL	

\* Note: Penalty amount may not reflect all violations cited.